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# **FAX TRANSMISSION COVER SHEET**

Date: March 23, 2007

<b>To</b>	<b>Telephone</b>	<b>Fax Number</b>	<b>Certificate</b>
Attn: Office of Petitions United States Patent and Trademark Office		(571) 273.8300	MAR 28 2007 of Correction

From: Linda R. Judge (415) 836.2586	Client-Matter Number: 306229-190
Patent No.: 7,011,976	
Re: Issued March 14, 2006	
Application No.: 09/509,591	
Filing Date: June 2, 2000	
Entitled: ADENOVIRUS VECTORS SPECIFIC FOR CELLS EXPRESSING ALPHA-FETOPROTEIN AND METHODS OF USE THEREOF	
Patentee: Lee, et al.	
Attorney Docket No.: 3802-147-27-NATL (306229-190)	

Pages: -6- (Including this form)

Originals: will not follow

If there is a problem with this transmission, please call DLA Piper Office Services at 415.836.2500, ext. 6104

## **Message:**

Please find the following papers included in this filing:

1. Transmittal;
2. Second Request for Certificate of Correction;
3. Certificate of Correction; and
4. Decision on Petition Mailed Nov 20 2006 (copy).

Thank you.

## **CONFIDENTIALITY NOTICE**

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(Form Rev. 8/02/04)

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<h1>TRANSMITTAL FORM</h1> <p><i>(To be used for all correspondence after initial filing)</i></p>	Patent No.	7,011,976	<b>RECEIVED</b> <b>CENTRAL FAX CENTER</b> <b>MAR 23 2007</b>
	Issue Date	March 14, 2006	
	Application No.	09/509,591	
	Filing Date	June 2, 2000	
	Patentee	Little, et al.	
Total Number of Pages in this Submission: <b>5</b>		Attorney Docket No.	3802-147-27 NATL (306229-190)

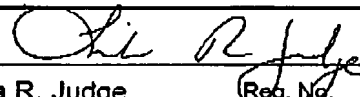
ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavit/Declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement (IDS) <input type="checkbox"/> Substitute PTO Form 1449 <input type="checkbox"/> Cited References <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts Notice/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input checked="" type="checkbox"/> Second Request for Certificate of Correction <input checked="" type="checkbox"/> Certificate of Correction <input checked="" type="checkbox"/> Decision on Petition Mailed Nov 20 2006 (copy) <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Combined Revocation and Power of Attorney and 37 C.F.R. §3.73(b) and 3.71 Statements and Request for Change of Attorney Docket Number <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After-Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Additional Enclosure(s): <input type="checkbox"/> Return Receipt Postcard

**Remarks:**

Please address all correspondence to Customer Number 29585

The Director is hereby authorized to charge any fees that may be required in connection with the papers submitted herewith that have been inadvertently omitted, specifically including any extension fees that may be required under 37 CFR § 1.136(a), to Deposit Account No. 07-1896 (Charge No. 3802-147-27- NATL (306229-190))

**SIGNATURE OF APPLICANT, ATTORNEY OR AGENT**

Signature		Date	3/23/07
Name	Linda R. Judge Reg. No. 42,702	Telephone	415/836.2586
Address	153 Townsend Street, 8th Floor, San Francisco, CA 94107	Facsimile	415/836.2501

**CERTIFICATE OF FACSIMILE TRANSMISSION**

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being filed with the United States Patent and Trademark Office by facsimile transmission on the date indicated below to Facsimile No. (571) 273.8300.

Date: 03-23-07

\_\_\_\_\_  
 Carissa Hemphill  
 Print Name

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Patentee(s):	Little, et al.	Application No.:	09/509,591
Patent No.:	7,011,976	Filed:	June 2, 2000
Issued:	March 14, 2006		
For:	ADENOVIRUS VECTORS SPECIFIC FOR CELLS EXPRESSING ALPHA- FETOPROTEIN AND METHODS OF USE THEREOF		

**SECOND REQUEST FOR CERTIFICATE OF CORRECTION UNDER 37 CFR § 1.323**

Attn: Office of Petitions  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The following is a Second Request for a Certificate of Correction in Serial Number 09/509,591, now patent number 7,011,976.

A Certificate of Correction under 35 U.S.C. § 255 is respectfully requested in the above-identified patent. The patent was issued in the name of Calydon, Inc. due to incorrect assignee data inadvertently provided on the Issue Fee Transmittal.

A Petition Under 37 CFR 1.183 filed by facsimile transmission on September 1, 2006, which was treated as a request under 37 CFR 3.81(b), was dismissed. However, the Decision on Petition mailed November 20, 2006 (*attached*) states that petitioner is entitled to received a Certificate of Correction in the name of Cell Genesys, Inc., Foster City, CA. Petitioner requests such Certificate of Correction and submit herewith a Certificate of Correction (form PTO/SB/44).

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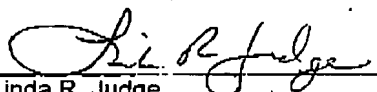
MAR 23 2007

Please note that the Certificate of Correction fee, currently \$100.00, was paid on December 14, 2006. However, the Director is authorized to charge any additional fees that may required, or credit any overpayment, to DLA Piper US LL Deposit Account No. 3802-147-27 NATL (306229-190).

Date: 3/23/07

Customer No. 29585  
DLA PIPER US LLP  
Telephone: 415/836.2586  
Facsimile: 415/836.2501

Respectfully submitted,



Linda R. Judge  
Reg. No. 42,702

**UNITED STATES PATENT AND TRADEMARK OFFICE  
CERTIFICATE OF CORRECTION**

PATENT NO.: 7,011,976  
DATED: March 14, 2006  
APPLICATION NO.: 09/509,591  
FILED: June 2, 2000  
INVENTOR(S): Little, *et al.*

It is certified that error or errors appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

On page 1, (73) Assignee:, please remove "Calydon, Inc., Sunnyvale, CA (US)"

and insert therefor

"Cell Genesys, Inc., Foster City, CA (US)"

MAILING ADDRESS OF SENDER:

DLA PIPER US LLP  
153 Townsend Street, Suite 800  
San Francisco, CA 94107

Patent No. 7,011,976

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## UNITED STATES PATENT AND TRADEMARK OFFICE

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NOV 20 2006

In re Patent No. 7,011,976  
Issue Date : March 14, 2006  
Application No. 09/509,591  
Filed: June 2, 2000  
Patentee(s): Andrew S. Little, et. al.

OFFICE OF PETITIONS

DECISION ON PETITION

This is a decision on the renewed petition under 37 CFR 1.183 filed by facsimile transmission on September 1, 2006, which is being treated as a request under 37 CFR 3.81(b)<sup>1</sup> to correct the assignee's name and data on the front page of the above-identified patent by way of a certificate of correction.

The petition is again **DISMISSED**.

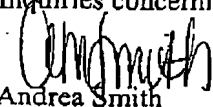
Petitioner requests issuance of a Certificate of Correction in the name of "Cell Genesys, Inc., South San Francisco, CA," instead of "Cell Genesys, Inc., Foster City, CA," because the assignee has since moved. 37 CFR 3.81(a) permits the patent to issue to the assignee, provided that, at the time the issue fee is paid, the name of an assignee is provided. 37 CFR 3.81(b) permits the patent to issue in the name of an assignee if the assignment was submitted after payment of the issue fee, but recorded *prior to issuance of a patent*.

Since there is no assignment, recorded prior to issuance of this patent, that shows the assignee's data as "South San Francisco, CA", a certificate of correction is not proper. However, petitioner is entitled to receive a Certificate of Correction in the name of "Cell Genesys, Inc., Foster City, CA," as recorded prior to issuance, at reel 012243 and frame number 0012.

Should petitioner desire to receive a Certificate of Correction in the name of the assignee and data as "Cell Genesys, Inc., Foster City, CA," a renewed petition and corrected Certificate of Correction form PTO/SB/44 must be submitted.

This application file is being referred to Files Repository.

Inquiries concerning this decision should be directed to the undersigned at (571) 272-3226.

  
Andrea Smith  
Petitions Examiner  
Office of Petitions

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NOV 27 2006

<sup>1</sup> See Official Gazette of June 22, 2004